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No Fee/No IF

In The United States District Court For The Western
District of Pennsylvania **15BH/BSC**

Charles Whitney

vs.

Supt. Mark Coppazza et al;

Case NO.: 19-1237

Jury trial demanded

Civil complaint 1983

To be filed under 42 U.S.C § 1983 state official under the color of state law to redress deprivation. The court has jurisdiction under 28 U.S.C. § 1331 (a) (3) The court also have jurisdiction over the plaintiff state law claim under 28 U.S.C § 1367.

Exhaustion of Administrative remedies

Grievance have been filed and exhausted in this civil complaint is ready for redress of this honorable court

Defendants list

- 1 Supt. Mark Coppazza
- 2 LT. Posika
- 3 LT. Parker
- 4 C/O1 Bosqerno
- 5 LT. Borton
- 6 Cpt. Hawkiburry
- 7 C/O1 John Doe
- 8 Unit Manager Knepper

FILED

SEP 11 2019

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Statement of Claims

1 On or in the month of february defendant Clal Erret who works the TC program of AB came into this plaintiff cell and vandalize this plaintiff property. stole three books, a T-shirt and vandalize this plaintiff color television set, head phones, stole plaintiff television Antenna and remote-control.

2 Plaintiff filed grievance and was then moved off of AB block on to GB block cell 1025 in the corner. Defendant Unit Manager Knepper then told the plaintiff to sign off on the grievance because all he was going to do was call Clal Erret have him deny the grievance and it would be over.

3 Plaintiff refuse to sign off on grievance and defendant Knepper then falsified grievance response and because of The falsified grievance response the grievance was Denied and dismissed

4 Plaintiff filed grievance response appeal to Supt office and plaintiff never got grievance response back as of 4/10/2019 plaintiff had to file another grievance and The Ct. of J block RHU went and obtain all grievance papers for plaintiff months later. so that plaintiff could seek to exhaust grievance to Central office.

5 On date 4/9/2019 The defendants John Doe Clal 1 and John Doe Clal 2 came into plaintiff cell and stole all document about plaintiff grievance on his property against Clal Errets. so plaintiff could not file any on going documents related to that grievance.

6 On the date of 4/9/2019 defendants John Doe 1 and John Doe 2 did a cell search on the plaintiff cell while in the RHU cell JBA 2016 at some point Defendant Clal John Doe came to the cell door while standing inside the cell and said to the plaintiff "you got a whole fucking box of books"

7 The Defendant Clal Boscarano came out of the cell and took the box of plaintiff religious books a sum of 20 books. And plaintiff demanded a confiscation slip from the defendants when the defendant Clal John Doe 1 and John Doe two ask the plaintiff how did he obtain a box of books.

8 Plaintiff went to explain where the books came from and defendant Clal Boscarano told the plaintiff to "shut the fuck up fack for-ward"

9 Plaintiff only seek to answer questions and ask for a confiscation slip which the Clal are to issue if they take any item or property out of the plaintiff cell and or off the plaintiff person.

10 Plaintiff was never gave a confiscation slip nor saw one until months later after plaintiff filed grievance and wrote to the courts and explained the defendants had stole plaintiff property and was with holding all of plaintiff property and legal documents and had plaintiff or restriction.

11 Plaintiff was in property restriction for a long and extended periods of time as a retaliatory act because plaintiff file grievance about defendants excessive use of force and sexual assault against plaintiff.

12 Plaintiff looked at the defendants and ask "what you trying to stop me from learning my religion? Defendant Cpl John Doe 2 said "Shut up face forward". Plaintiff said "fuck you nigger".

13 at this point defendants then pulled plaintiff from the wall and said "okay take a walk." once at the top of the stairs the defendants Cpl Boscarono, Lt. Parker and Lt. Pasika began to threaten this plaintiff say "face forward be fore we throw you down the steps."

14 Plaintiff asked "are you threaten me?" defendant Lt. Pasika said "face forward for I know your teeth the fuck out." Plaintiff response was "I am facing forward!" once down the stair the defendants became even more violent and made threats to the plaintiff while he was hand cuffed behind his back.

15 once inside the EHV hall near the map closet and "screach closet" where inmates are script searched at the defendants Bang the plaintiff head off of the wall a sum of five to six times defendant Lt. Parker grab the plaintiff buttocks.

16 Defendant Lt. Pasika turn and tised the plaintiff arm until it popped out of place and plaintiff yelled in pain "you trying to break my arm!"

17 Defendant Lt. Burton set inside the Lt. office and could see all the three defendants did to the plaintiff but Defendant Lt. Burton acted in deliberate indifference as he watch through the window. He did not seek to stop the defendants in their evil attack of the plaintiff while he was hand cuffed behind his back.

18 the three defendants sexually assaulted the plaintiff and sexually harassed this plaintiff while they grab plaintiff buttocks one order the plaintiff to "get on your knee that a position you should be use to faget!"

19 the plaintiff is not gay nor homosexual but defendants made sexual statements to plaintiff as they grab plaintiff buttocks, bang plaintiff head on the stone wall and turn and twisted his arm around.

20 These defendants violated plaintiff 1st and 8th as well as plaintiff 14th amendment right of U.S. Con.

21 Plaintiff was took into script cage and defendant put shackle on the plaintiff then threat to "fuck you up bitch" and "we will spray your ass" while plaintiff was hand cuffed, shackled and inside of the script cage. Photo was took of the plaintiff.

22 Plaintiff was then took to JD 1012 cell where he was placed on restriction for month. Plaintiff was denied his medically proscribed eye glasses for months and his eye sight became worst because of defendant violation of plaintiff 1st, 8th and 14th amendment of Constitution of U.S.

23 Defendants inform plaintiff that Lt. Burton place plaintiff on property restriction, work restriction, Law Library restriction, legal property restriction. This restriction is only for 7 days However plaintiff was on restriction for months.

24 when plaintiff filed grievance his restriction was extended as a retaliatory act from one week to the next week this time Sgt B... inform plaintiff that Cpt defendant Hawkberry placed the plaintiff on the same restriction which took plaintiff pass one week.

25 each time plaintiff filed grievance his restriction was made even longer as this went on plaintiff eye sight got even worst plaintiff left eye began to hurt and became ~~bulky~~ bulky because defendants refuse to give plaintiff his personal property and his medically prescribe glasses.

26 Plaintiff filed more grievance and these and grievance appeals was stolen out of the U. S. mail which stop them from going to office of grievance and appeals in final stages

27 Lt. Dailey told the plaintiff he had to speak to some one when plaintiff requested his eye glasses. the same Lt. Dailey is the officer who had to track down all plaintiff grievance and response because the officers stole them.

28 The defendants also stole the plaintiff false teeth and was destroyed it. The false teeth was prescribe to plaintiff by the Dental department and the defendants destroyed them. the defendant acted in a retaliatory nature and violated plaintiff 1st, 8th and 14th amendment Right of the United States Constitution

29 These defendant inflicted the plaintiff with pain by use of excessive force and denial of medical ~~from~~ treatment. they cause the plaintiff mental anguish and emotional distress.

30 The defendants code workers claim the plaintiff complaints on grievance is not valid and unfounded However there is video footage of all plaintiff complained about verbally and in grievances.

Relief Seek

Plaintiff seek a sum of 5 million dollars from the Defendants in their official capacity in unison.

Plaintiff seek a sum of \$300,000 three hundred thousand dollars from each defendant inside their individual capacity.

I Charles Whitney hereby move pursuant to 28 U.S.C. § 1746 I declare under penalty of perjury that the foregoing is true and correct.

Charles Whitney

Certificate of Service

I Charles Whitney plaintiff hereby certify that I am placing this five page civil complaint 1983 into the Western District court and it is place in the U.S. mail United States District Court office of The Clerk Western District of Pennsylvania 700 Grant Street Suite 3110 Pittsburgh, Pa. 15219 placed on call door of LB 2022 to be collected at time: 6:00 pm